

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL



JOHN E. SWALLOW
ATTORNEY GENERAL

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JUN 19 2013

Wastewater Unit

KIRK TORGENSEN
Chief Deputy

BRIAN L. TARBET
General Counsel

OAG-46-13

June 17, 2013

Shaun McGrath
U.S. EPA Region VIII
Office of Regional Administrator
1595 Wynkoop Street
Denver, Colorado 80202-1129

Re: **Equivalency of Utah's Proposed CAFO Rule, R317-8-10, to Federal CAFO Regulations**

Dear Mr. McGrath:

I have reviewed the State of Utah's Proposed Concentrated Animal Feeding Operations ("CAFO") Rule, R317-8-10, against the provisions of the Consolidated Concentrated Animal Feeding Operations Regulations (http://www.epa.gov/npdes/regulations/cafo_final_rule2008_comp.pdf, compiled July 30, 2012). I have also reviewed the CAFO "crosswalk" prepared by the Division of Water Quality, which is attached. I am writing to affirm that it is my evaluation that Utah's rule provides authorities equivalent to the Federal CAFO regulatory requirements, as required by CFR part 123 (State Program Requirements), and that the crosswalk accurately reflects that equivalency.

Please feel free to contact me at (801) 536-0283 if you have any questions.

Sincerely,


Laura Lockhart,
Assistant Attorney General

LJL/srb

Enclosures

cc: Walter Baker, Division of Water Quality (Electronic)
Dave Wham, Division of Water Quality (Electronic)
Don Hall, Division of Water Quality (Electronic)
Amy Clark, U.S. EPA Region VIII (Hard Copy & Electronic)